

Present: Jane Connolly, Chairman; Stephan Grozinger, Britta Lerner, Ken Edgar, Pierre Ratte
Joe Limone, Vice Chairman (by speaker phone) Absent: Don Saltzman
Also present: Land Use Director: Tracy Kulikowski

Meeting digitally recorded on May 7, 2012

APPROVAL OF MINUTES: 4//2/12 AND 4/16/12

This agenda item was moved to the end of the meeting by request of the Chairman.

DISCUSSION/DECISION CONT: REFERRAL FROM ZONING ENFORCEMENT
OFFICER, ZONING PERMIT APPLICATION: RENOVATION OF NON CONFORMING
COTTAGE/REBUILD, 306 LYONS PLAIN ROAD (LAND USE CONSULTANTS)

Ken Edgar recused himself from this application as he was an alternate member of ZBA when the applicant came before ZBA.

Applicant, Jay Faillace was present. Vice Chairman Joe Limone was on the speaker phone .The chairman inquired if the Commission should wait for his counsel, and the applicant responded that Attorney Fuller would not be attending the meeting.. The Chairman referred to the sense of the meeting from the meeting on April 16th, 2012 where five members were in favor of a denial of applicant's request for a zoning permit for the demolished cottage and one member was in favor. The Chairman read the decision denying applicant's request into the record. (See, attached)

Mr. Faillace came forward to ask each Commission member why they granted a permit to rebuild his nonconforming barn that burned to the ground on Davis Hill Road The Chairman stated that the Commission had nothing to do with that decision and felt it was inappropriate for discussion and irrelevant to the issue at hand which concerns his demolition of the cottage.

Motion:

The Chairman moved that the Commission DENY the request for a Zoning Permit to construct a second dwelling on property commonly known as 306 Lyons Plain Road, Weston, Connecticut, by applicant Toad Hall LLC in accordance with the attached decision which was read into the record. Seconded by Joe Limone. Vote 3 in favor of denial Jane Connolly, Stephan Grozinger and Joe Limone. Vote 1 -In favor of rebuilding, Britta Lerner. Abstaining, Pierre Ratte. Don Saltzman, absent. Ken Edgar, recused. Motion carried.

12m35sec

RECEIPT OF APPLICATION AND DISCUSSION/DECISION: FLOOD ZONE
DEVELOPMENT PERMIT, GOODWYN, 67 GOODHILL ROAD, (MILONE &
MACBROOM)

15m19sec

Present: Jason Williams, Landscape Architect of Cheshire, Ct. The Chairman inquired whether the issue was the submission of a T2 Topographic Survey in lieu of an A-2 Survey. Mr. Williams stated that they have an A2 property survey now and went over his plan in detail with the Commissioners, to include repair of the erosion of the riverbank. The plan includes the bringing in of boulders by using a small excavator to create a small retaining wall and then backfilling with soil, and sedimentation and erosion controls. There is to be no proposed new construction, substantial improvement or other development, as defined by FEMA, at the site

The Chairman read a memo approving the plan, dated March 7, 2012 from John Conte, Town Engineer. Ken Edgar raised questions about the bringing in of boulders and a discussion followed. The civil engineer of Milone and MacBroom, discussed his hydrology study. The Commission requested a certification that the 10 cubic yards requested were to replace only that which had existed and had eroded, *along with a hydrology analysis as per subsection 5 of the Flood Plain Regulations*. The Land Use Director felt the applicant may need a soil disturbance permit.

The engineer's plan indicates there will be zero cubic yards of cut and or fill within the flood plain and flood way. There will be zero disturbances of wetland areas. The placement of natural boulders along the scoured section of bank will not have an impact on base flood elevations because the boulders are replacing soil loss due to erosion. The stabilization of the bank will only require the removal of existing organic debris, limbs of existing trees and providing vegetation restoration.

Ken Edgar moved that the Commission accept the application for a Flood Zone Development certification for Mr. and Mrs Goodwyn of 67 Goodhill Road, with the modification that the certification of the 10 cubic yards complies with the applicable CFR. Seconded by Stephan Grozinger. Vote in favor (6-0) including Joe Limone on speaker phone. Don Saltzman was absent.

42min50sec

STAFF ENFORCEMENT REPORT

The Land Use Director reported that there was really nothing new.

A discussion followed concerning the.

New Fence Regulation allowing 6 foot high fences for
(32 Norfield and 52 Valley Forge) and
12 Glory Road.

Domka of 7 Laurel Ridge going before ZBA

APPROVAL OF MINUTES:

Stephan Grozinger moved that the Commission approve the minutes of April 2, 2012 as amended. Seconded by Pierre Ratte Vote in favor (6-0) Absent, Don Saltzman. Also that Ken Edgar recused himself from voting on that part of the minutes concerning Mr. Faillace's application for a zoning permit.

Stephan Grozinger moved that the Commission approve the minutes of April 16, 2012, as amended. Seconded by Britta Lerner. Vote in favor (5-0) Ken Edgar and Pierre Ratte absent from this meeting.

OTHER BUSINESS:

The Land Use Director read a letter from the attorney of Victoria Fash requesting a revocation of her subdivision. A discussion followed in which it was agreed that this request was something that cannot be done on a staff level. The applicant will have to come forward with an application and present a map of what it is she requests..

Mr. Kurtz of 107 Lords Highway inquired of staff about the new Fence Regulation and its impact on a Building Code Regulation requiring a 36 inch guard rail on his property. The Chairman suggested that Mr. Kurtz come before the Commission and explain what he wants. Stephan Grozinger felt Mr. Kurtz should go before ZBA. Ken Edgar felt Mr. Kurtz should go before ZBA and Planning & Zoning.

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant Approved unanimously on 5/21/12

